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#25

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Ballard

Serial No. 09/454,492

Group Art Unit: 3624

Filed: December 6, 1999

Examiner: Weisberger

For: Remote Image Capture with Centralized Processing and Storage

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

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Dear Sir:

Further in response to the Office Action mailed October 8, 2002, and as mentioned in the Response to Requirement for Information mailed December 17, 2003, Applicant wishes to bring certain items of information to the attention of the Patent and Trademark Office relative to this application. These items of information are listed on the enclosed PTO/SB/08.

A copy of each reference that was not previously of record in the parent to this application is enclosed. Each reference is in the English language. As such, no additional statement of relevance is provided in this paper.<sup>1</sup>

Because this information is submitted after receipt of a first Office Action on the merits, but before a final rejection or allowance, payment of the fee due under 37 C.F.R. §1.17(p) is

<sup>1</sup> 37 C.F.R. §1.98(a)(3).

enclosed, in the form of our firm check, and the enclosed Fee Transmittal (PTO/SB/17), which authorizes any additional fee to be charged to deposit account 01-1615.<sup>2</sup>

These items of information were brought to the attention of the assignee by an adverse party in litigation, relative to patents through which this application claims priority. The relevant lawsuit, namely *DataTreasury Corp. v. RDM Corp. a.k.a. Research Development and Manufacturing Corp.*, Cause No. 3-02CV2641-M, In the United States District Court for the Northern District of Texas, Dallas Division, was specified in the Response to Requirement for Information mailed by the undersigned on December 17, 2003. As mentioned in that Response, on information and belief, the litigation against RDM Corp. has settled, with RDM agreeing to a license under the asserted patents on June 3, 2003.

By citing these items of information, Applicant does not admit that any of this information is, or is considered to be, material to the patentability of any of the claims of this application.<sup>3</sup>

Consideration of this information in this application is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'RMA', is written over the typed name.

Rodney M. Anderson

Registry No. 31,939

Attorney for Applicant

Anderson, Levine & Lintel, L.L.P.

14785 Preston Road, Suite 650

Dallas, Texas 75254

(972) 664-9554

March 29, 2004

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<sup>2</sup> 37 C.F.R. §1.97(c).

<sup>3</sup> 37 C.F.R. §1.97(h).





PTO/SB/088 (08-03)

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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 5

## **Complete if Known**

Application Number	09/454,492
Filing Date	Dec. 6, 1999
First Named Inventor	Ballard
Art Unit	3624
Examiner Name	Weisberger
Attorney Docket Number	DATA.P01CIPDIV

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## **NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		HOMA, "MICR Technology Helps Eliminate POS Check Fraud", Chain Store Age Executive, (Sept., 1991).	
		"Special Report: Fine Tuning the Terminal Picture", Computerworld, (August, 1983).	
		GAWEN, "PC Based Document Image Processing and Signature Verification", Proceedings of the Information & Image Management Conference, (1991), pp. 389-391.	
		CRONE, "Reducing Data Processing Costs with a Remote Item Processing System", Bank Administration, (Oct., 1986), pp. 44-46.	
		INSPEC search with abstracts.	
		ATZEL, (email to Hambro, Oct. 9, 2001).	
		"At Your Service...", (Federal Reserve Bank of Kansas City, 1995).	
		ROLDAN, Jr., "Image Quality White Paper", (FSTC, 1999).	
		"FSTC Projects: The Bank Internet Payment System (BIPS): Leading the Way to Electronic Commerce", (FSTC, 2003).	
		"About FSTC: FSTC History", (FSTC, 2003).	

Examiner Signature	<u>/Richard Weisberger/</u>	Date Considered	07/13/2009
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\*EXAMINER: Initial if reference considered, whether or not claim is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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## Complete if Known

Application Number	09/454,492
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First Named Inventor	Ballard
Art Unit	3624
Examiner Name	Weisberger
Attorney Docket Number	DATA.P01CIPDIV

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Sheet 3 of 5

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		"Financial EDI over the Internet", (Bank of America, 1996).	
		"Understanding EDI", (1996).	
		"IBM X9.46 Pilot Status - Summary", (date unknown).	
		"ICI Project Security Work Session", (May 10, 1996).	
		ANDERSON, "Electronic Check and Check Law", (letter to Robert Ballen, April 8, 1996).	
		DOWDELL, "Security", (email to fstc-image, April 27, 1996).	
		"IBM FSTC Pilot Status".	
		"FSTC Image Exchange", (May 21, 1996).	
		"FSTC Check Image Quality Subproject", (date unknown).	
		"FSTC Interbank Check Imaging: Unisys Monthly Status Report (June 26, 1996).	

Examiner Signature	Date Considered
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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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Sheet 4 of 5

## **Complete If Known**

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First Named Inventor Ballard  
Art Unit 3624  
Examiner Name Weisberger  
Attorney Docket Number DATA.P01CIPDIV

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		"The Wachovia Story" (Research, Development) Manufacturing Corporation, (1993).	
		MARIANOVIC, "Payment Groups Square Off Over Electronic Check Plan", (American Banker, date unknown).	
		FITCH, "Digital image systems speed return items, exceptions", (Corporate Cashflow, May, 1996).	
		JANUSKY, "FSTC Interbank Check Imaging", (May 22, 1996).	
		"NCReports: Financial Services Trends and Technologies", Vol. 1, Issue 7 (NCR, 1997).	
		"NCReports: Financial Services Trends and Technologies", Vol. 1, Issue 8 (NCR, 1999).	
		"NCReports: Financial Services Trends and Technologies", Issue 1 (NCR, January, 1997).	
		"NCReports: Financial Services Trends and Technologies", Issue 2 (NCR, February, 1997).	
		"NCReports: Financial Services Trends and Technologies", Issue 3 (NCR, March, 1997).	
		"NCReports: Financial Services Trends and Technologies", Issue 4 (NCR, 1997).	

Examiner Signature	/Richard Weisberger/	Date Considered	07/13/2009
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Sheet 5 of 5

## Complete if Known

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		NCRReports: Financial Services Trends and Technologies", Issue 5 (NCR, 1997).	
		NCRReports: Financial Services Trends and Technologies", Vol. 1, Issue 6 (NCR, 1997).	
		"Image Processing Survival Guide, Vol. 11: Sure-Fire Strategies for Implementing Image Remittance", (Philips Business Information, Inc., 1996)."	
		"eCheck: Homepage", (2003).	
		VERMEIRE, "Prosecution of Check Image Patent", (letter to Hanna, July 11, 1997).	
		"FSTC Interbank check Imaging: Unisys Monthly Status Report", (July 22, 1996).	
		JANUSKY, "FSTC Interbank Check Imaging", (April 29, 1996).	
		"SurePOS ACE Electronic Payment Support PRPQ for 4690 OS", Version 1, Release 5 (IBM, 1998, 2002).	
		ANSI Standard X9.46-1995, "Financial Image Interchange: Architecture, Overview, and System Design Specification", (ANSI, 1995).	
		ANSI Standard X9.46-1997, "Financial Image Interchange: Architecture, Overview, and System Design Specification", (ANSI, 1997).	

Examiner Signature	Date Considered
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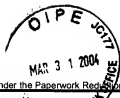
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# FEE TRANSMITTAL

## for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$180)

### Complete if Known

Application Number 09/454,492  
Filing Date December 6, 1999  
First Named Inventor Ballard  
Examiner Name Weisberger  
Art Unit 3624  
Attorney Docket No. DATA.P01CIPDIV

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### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 01-1615  
Deposit Account Name Anderson, Levine & Lintel

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$0)

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below		Fee Paid
Total Claims	<input type="text"/>	-20** = <input type="text"/>	X	<input type="text"/>	= <input type="text"/>
Independent Claims	<input type="text"/>	-3** = <input type="text"/>	X	<input type="text"/>	= <input type="text"/>
Multiple Dependent	<input type="text"/>			<input type="text"/>	= <input type="text"/>

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$0)

\*\*or number previously paid, if greater. For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$180)

### SUBMITTED BY

Name (Print/Type) Rodney M. Anderson Registration No. (Attorney/Agent) 31,939 Telephone 972.664.9554  
Signature [Signature] Date 29 March 2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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